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Betting Corporation*

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re

NEW YORK CITY OFF-TRACK BETTING
CORPORATION,

Debtor.¹

Chapter 9

Case No. 09-17121 (MG)

**SECOND REVISED AGENDA FOR HEARING ON JANUARY 19, 2011 AT 10:00
A.M.**

Time and Date of Hearing: January 19, 2011, at 10:00 A.M.
(Eastern Time)

Location of Hearing: Honorable Martin Glenn
United States Bankruptcy Court
Southern District of New York
Courtroom 501
One Bowling Green
New York, NY 10004

Copies of Motions: A copy of each pleading can be viewed on the
Court's website at <https://ecf.nysb.uscourts.gov/>.

¹ NYC OTB's address is 1501 Broadway, New York, NY 10036. The Debtor's tax identification number is 13-2664509.

CONTESTED MATTERS

1. Motion of New York City Off-Track Betting Corporation to Dismiss Chapter 9 Case. (Filed: 12/15/2010) [**Docket No. 242**]

Objection Deadline: January 12, 2011, at 5:00 P.M. (Eastern Time)

Objections Received:

- A. Objection of District Council 37, Local 2021 and DC 37 Benefits Fund Trust to Motion of New York City Off-Track Betting Corporation to Dismiss Chapter 9 Case. (Filed: 01/11/2011) [**Docket No. 262**]
- B. Objection to Motion to Dismiss Case filed by Joel M. Shafferman on behalf of Feinrose Associates. (Filed: 01/12/2011) [**Docket No. 276**]
- C. Objection to Motion of New York City Off-Track Betting Corporation to Dismiss Chapter 9 Case filed by Robert J. Brown on behalf of Churchill Downs Incorporated. (Filed: 01/12/2011) [**Docket No. 284**]
- D. Joinder in Objection to Dismissal of Chapter 9 Case filed by Robert M. Sasloff on behalf of 1935 Westchester Avenue Realty Associates, 2000 Rockaway Parkway Associates, 515 Seventh Avenue, LLC.. (Filed: 01/11/2011) [**Docket No. 267**]

Responses Received:

- A. Yonkers Racing Corporation's Statement in Support of New York City Off-Track Betting Corporation's Motion to Dismiss Its Chapter 9 Case. (Filed: 01/11/2011) [**Docket No. 271**]
- B. The New York Racing Association, Inc.'s (A) Statement in Support of Dismissal of Chapter 9 Case and (B) Objection to Motion of District Council 37, Local 2021 for Appointment of Trustee Pursuant to Section 926(a) of the Bankruptcy Code to Pursue Causes of Action to Avoid and Recover Fraudulent Transfers Made to New York Racing Association, Yonkers Racing Corporation, Empire Resorts, Inc., Monticello Raceway Management, Inc., Monticello Raceway, Finger Lakes Racing Association, Inc., Delaware North Companies, Delaware North Companies Gaming & Entertainment, Inc., Vernon Downs and Tioga Downs. (Filed: 01/12/2011) [**Docket No. 283**]

Status: This Matter is going forward.

2. Motion of District Council 37, Local 2021 for Appointment of Trustee Pursuant to Section 926(a) of the Bankruptcy Code to Pursue Causes of Action to Avoid and Recover Fraudulent Transfers Made to New York Racing Association, Yonkers Racing Corporation, Empire Resorts, Inc., Monticello Raceway Management, Inc., Monticello Raceway, Finger Lakes Racing Association, Inc., Delaware North Companies, Delaware North Companies Gaming & Entertainment, Inc., Vernon Downs and Tioga Downs. (Filed: 12/22/2010) [**Docket No. 247**]

Objection Deadline: January 12, 2011, at 4:00 P.M. (Eastern Time)

Objections Received:

- A. Yonkers Racing Corporation's Objection to the Motion of District Council 37, Local 2021 for Appointment of Trustee Pursuant to Section 926(a) of the Bankruptcy Code to Pursue Causes of Action to Avoid and Recover Alleged Fraudulent Transfers Made to the New York Tracks. (Filed: 01/11/2011) [**Docket No. 270**]
- B. Objection And Joinder Of Empire Resorts, Inc. And Monticello Raceway Management, Inc. In Yonkers Racing Corporations Objection To The Motion Of District Council 37, Local 2021 For Appointment Of Trustee Pursuant To Section 926(A) Of The Bankruptcy Code To Pursue Claims To Avoid And Recover Alleged Fraudulent Transfers Made To The New York Tracks. (Filed: 01/12/2011) [**Docket No. 274**]
- C. Objection to Motion of District Council 37, Local 2021 for Appointment of Trustee Pursuant to Section 926(a) of the Bankruptcy Code to Pursue Causes of Action to Avoid and Recover Fraudulent Transfers Made to New York Racing Association, Yonkers Racing Corporation, Empire Resorts, Inc., Monticello Raceway Management, Inc., Monticello Raceway, Finger Lakes Racing Association, Inc., Delaware North Companies, Delaware North Companies Gaming & Entertainment, Inc., Vernon Downs and Tioga Downs filed by Garry M. Graber on behalf of Finger Lakes Racing Association, Inc. (Filed: 01/12/2011) [**Docket No. 280**]

Responses Received:

- A. Response to Motion In Support of Motion to Appoint a Trustee filed by Joel M. Shafferman on behalf of Feinrose Associates. (Filed: 01/03/2011) [**Docket No. 254**]
- B. Response to Motion In Support of Motion to Appoint Trustee filed by Robert M. Sasloff on behalf of 1935 Westchester Avenue Realty Associates, 2000 Rockaway Parkway Associates. (Filed: 01/05/2011) [**Docket No. 255**]

- C. Response to Motion filed by Robert M. Sasloff on behalf of 515 Seventh Avenue, LLC. (Filed: 01/10/2011) **[Docket No. 261]**
- D. Claimant Bret S. Engelkemier's Response to and in Support of District Council 37, Local 2012's Motion for Appointment of Trustee Pursuant to Section 926(a) of the Bankruptcy Code. (Filed: 01/11/2011) **[Docket No. 287]**
- E. New York City Off-Track Betting Corporation's Statement in Response to the Motion of District Council 37, Local 2021 for Appointment of a Trustee. (Filed: 01/12/2011) **[Docket No. 275]**
- F. Joinder of 991 Second Avenue, L.L.C. in Support of Motion of District Council 37, Local 2021 for Appointment of a Trustee Pursuant to Section 926(a) of the Bankruptcy Code. (Filed: 01/11/2011) **[Docket No. 266]**
- G. Joinder of Catskill Regional Off-Track Betting Corp. in the Motion of District Council 37, Local 2021 for Appointment of Trustee Pursuant to Section 926(a) of the Bankruptcy Code. (Filed: 01/11/2011) **[Docket No. 268]**
- H. Joinder of Local 858, International Brotherhood of Teamsters to Motion of District Council 37, Local 2021 for Appointment of Trustee Pursuant to Section 926(a) of the Bankruptcy Code to Pursue Causes of Action to Avoid and Recover Fraudulent Transfers Made to New York Racing Association, Yonkers Racing Corporation, Empire Resorts, Inc., Monticello Raceway Management, Inc., Monticello Raceway, Finger Lakes Racing Association, Inc., Delaware North Companies, Delaware North Companies Gaming & Entertainment, Inc., Vernon Downs and Tioga Downs. (Filed: 01/18/2011) **[Docket No. 296]**

Reply to Responses:

- A. Reply of District Council 37, Local 2021 to Responses to Its Motion Pursuant to Section 926(a) of the Bankruptcy Code to Pursue Causes of Action to Avoid and Recover Fraudulent Transfers Made to New York Racing Association, Yonkers Racing Corporation, Empire Resorts, Inc., Monticello Raceway Management, Inc., Monticello Raceway, Finger Lakes Racing Association, Inc., Delaware North Companies, Delaware North Companies Gaming & Entertainment, Inc., Vernon Downs and Tioga Downs. (Filed: 01/18/2011) **[Docket No. 294]**

Status: This Matter is going forward.

3. Second Omnibus Motion for an Order Authorizing the Rejection of Certain Unexpired Leases of Nonresidential Real Property. (Filed: 12/28/2010) **[Docket No. 249]**

Objection Deadline: January 12, 2011, at 5:00 P.M. (Eastern Time)

Objections Received:

- A. Opposition of 991 Second Avenue, L.L.C. to Debtor's Second Omnibus Motion for an Order Authorizing the Rejection of Certain Commercial Leases. (Filed: 01/11/2011) **[Docket No. 264]**
- B. Opposition of 801-815 Landlord Associates, Inc. to Debtor's Second Omnibus Motion for an Order Authorizing the Rejection of Landlord's Commercial Lease. (Filed: 01/18/2011) **[Docket No. 291]**

Responses Received:

- A. Response to Motion for Rejection of Leases filed by Joel M. Shafferman on behalf of Feinrose Associates. (Filed: 01/18/2011) **[Docket No. 292]**

Status: This Matter is going forward.

4. Motion to Compel Payment of Post Petition Rent Arrears. (Filed: 01/03/2011) **[Docket No. 253]**

Status: This Matter is going forward.

5. Claimant Bret S. Engelkemier's Request for Payment of Administrative Expenses. (Filed: 01/11/2011) **[Docket No. 289]**

Status: This Matter is going forward.

Dated: January 18, 2011

CRAVATH, SWAINE & MOORE LLP

By : s/ Richard Levin
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